

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow, are respectfully requested.

The specification has been amended to provide paragraph headings, to insert a brief description of the figures of the drawings, and to change the words "graph" or "graphs" to Fig. or Figs. on pages 7 and 8. The feature of allowed claim 8 has been added to claim 5 and claim 8 has been canceled. Non-elected claims 9-13 have been canceled. New claims 14 and 15 have been added. Claim 14 depends upon allowed claim 4 and is specific to the oxidation of an alcohol and/or ketone to form a carboxylic acid. Claim 15 is dependent on claim 5 and is specific to the oxidation of cyclohexanol and/or cyclohexanone to adipic acid. Both new claims are fully supported by the disclosure. Claims 1-7, 14 and 15 are currently pending in this application.

In response to the objection to the specification set forth on page 2, second paragraph of the Office Action, the word "graph" or "graphs" on pages 7 and 8 has been changed to - Fig.- - or - Figs.- -.

Claims 5-7 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,955,394 to Kelly for the reasons given on page 3 of the Office Action. Reconsideration of this rejection is requested in view of the above amendments and the following remarks.

Claim 8 was objected to but otherwise indicated as allowable. Without conceding the propriety of the rejection over Kelly '394 and solely to expedite

prosecution, the feature of claim 8 has been added to claim 5. Accordingly, the §103(a) rejection has been obviated and should be withdrawn.

Claims 1-4 have been allowed. Claims 5-7, 14 and 15 are now allowable. Thus, all remaining claims are allowable.

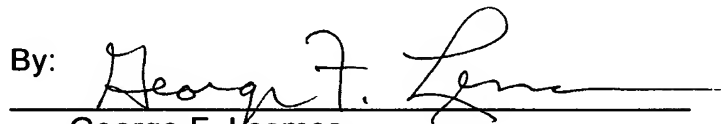
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (703) 838-6683 at his earliest convenience.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: September 23, 2004

By:

A handwritten signature in dark ink, appearing to read "George F. Lesmes", is written over a horizontal line.

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